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PCT/EP2003/006694

PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P800226/WO/1	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/EP2003/006694	International filing date (day/month/year) 25 June 2003 (25.06.2003)	Priority date (day/month/year) 16 July 2002 (16.07.2002)
International Patent Classification (IPC) or national classification and IPC B60K 31/00, B60T 7/12, 7/22		
Applicant DAIMLER CHRYSLER AG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet. <input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT). These annexes consist of a total of <u>19</u> sheets.
3. This report contains indications relating to the following items: I <input checked="" type="checkbox"/> Basis of the report II <input type="checkbox"/> Priority III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 22 November 2003 (22.11.2003)	Date of completion of this report 22 November 2004 (22.11.2004)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

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I. Basis of the report

1. With regard to the elements of the international application:*

- ☐ the international application as originally filed
- ☒ the description:
 pages 3, 4, 6-10, 15, 16, 19, as originally filed
 pages _____, filed with the demand
 pages 1, 2, 2a, 5, 11-14, 17, 18, filed with the letter of 29 July 2004 (29.07.2004)
- ☒ the claims:
 pages _____, as originally filed
 pages _____, as amended (together with any statement under Article 19
 pages _____, filed with the demand
 pages 1-14, filed with the letter of 21 October 2004 (21.10.2004)
- ☒ the drawings:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages 1/5-5/5, filed with the letter of 29 July 2004 (29.07.2004)
- ☐ the sequence listing part of the description:
 pages _____, as originally filed
 pages _____, filed with the demand
 pages _____, filed with the letter of _____

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item. These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/fig _____

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

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V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-14	YES
	Claims		NO
Inventive step (IS)	Claims	1-14	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-14	YES
	Claims		NO

2. Citations and explanations

1. This report makes reference to the following documents:

D1: FR-A-2 785 383 (RENAULT) 5 May 2000 (2000-05-05)

D3: DE 197 15 622 A (ITT MFG ENTERPRISES INC) 22
October 1998 (1998-10-22)

D4: DE 38 44 340 A (LICENTIA GMBH) 5 July 1990
(1990-07-05)

D5: DE 199 33 732 A (VOLKSWAGENWERK AG) 25 January
2001 (2001-01-25)

2. D1 is the closest prior art. D1 describes a parking aid with which a reference trajectory with particular driving sections and turning points and corresponding to the driving maneuver is determined. The vehicle is automatically braked at the turning points in order to signal a change in the steering wheel position to the driver and remains braked until the change in the steering wheel position has been made.

The method and the device for assisting a driver of a vehicle with parking or maneuvering according to claims 1 and 13, respectively, differ from D1 in that the vehicle longitudinal speed is influenced as a function of the amount of steering angle deviation

between the actual steering angle and the desired steering angle in such a way that greater steering angle deviation results in greater vehicle deceleration.

The problem addressed by the invention is therefore that of providing a parking aid with which steady driving along a reference trajectory is possible taking into account the driver as an "interference variable".

The prior art discloses only

- controlling a parking aid braking operation alone as a function of measured variables such as the steering angle (D3); and
- carrying out a braking operation for preventing a collision, i.e. in the sense of an emergency braking operation (D4, D5).

The prior art contains nothing that might suggest influencing the vehicle longitudinal speed as a function of the amount of steering angle deviation in such a way that greater steering angle deviation results in greater deceleration, and therefore provides no information that could have led a person skilled in the art, even taking this person's technical knowledge into account, to the subject matter of claims 1 and 13 in an obvious way.

The solutions proposed in claims 1 and 13 of the present application are therefore regarded as novel, involving inventive step and industrially applicable (PCT Article 33(2) to (4)).

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3. Claims 2 to 12, which are dependent on claim 1, and claim 14, which is dependent on claim 13, describe preferred embodiments of the method or device according to the invention, and therefore also meet the requirements of PCT Article 33(2) to (4).